

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

TRAVIS HEFFLEY,	:	
	:	
Plaintiff,	:	Civ. No. 17-3647 (NLH) (KMW)
	:	
v.	:	MEMORANDUM OPINION AND ORDER
	:	
FEDERAL BUREAU OF PRISONS	:	
FCI FORT DIX, et al.,	:	
	:	
Defendants.	:	
	:	

APPEARANCES:

Travis Heffley
17225097
Otisville
Federal Correctional Institution
Inmate Mail/Parcels
P.O. Box 1000
Otisville, NY 10963

HILLMAN, District Judge

WHEREAS, Plaintiff Travis Heffley filed a complaint naming unidentified members of the Extraction Team at FCI Fort Dix as defendants, ECF No. 1; and

WHEREAS, the Court reviewed the complaint under 28 U.S.C. § 1915(e)(2) and concluded sua sponte dismissal was not appropriate, ECF No. 7. However, the Court acknowledged that the Complaint could not be served on unknown John Doe defendants, and thus, the Court authorized discovery pursuant to Federal Rules of Civil Procedure 26(d) and 34(c) limited to

discovering the identities of the John Doe members of the Fort Dix Extraction Team. Id.; and

WHEREAS, after Plaintiff provided the Court with names for the John Doe defendants, the Court directed the Clerk's Office to substitute the named defendants and to issue U.S. Marshal 285 Forms to Plaintiff for service, ECF No. 13; and

WHEREAS, the Clerk's Office docketed a notice that it had not received the 285 Forms from Plaintiff, ECF No. 21; and

WHEREAS, Plaintiff wrote to the Court and said he had mailed the forms to the Clerk's Office, ECF No. 22; and

WHEREAS, the Court has not yet received any 285 forms from Plaintiff,

IT IS therefore on this 2nd day of July, 2021,
ORDERED that the Clerk shall mail to Plaintiff a new transmittal letter explaining the procedure for completing United States Marshal ("Marshal") 285 Forms ("USM-285 Forms"); and it is further

ORDERED that, once the Marshal receives the USM-285 Form(s) from Plaintiff and the Marshal so alerts the Clerk, the Clerk shall issue summons in connection with each USM-285 Form that has been submitted by Plaintiff, and the Marshal shall serve summons, the Complaint and this Order to the address specified

on each USM-285 Form, with all costs of service advanced by the United States¹; and it is further

ORDERED that Defendant(s) shall file and serve a responsive pleading within the time specified by Federal Rule of Civil Procedure 12; and it is further

ORDERED that the time for service under Federal Rule of Civil Procedure 4 is extended for 90 days from the date of this Order; and it is finally

ORDERED that the Clerk of the Court shall send a copy of this Order to Plaintiff by regular U.S. mail.

At Camden, New Jersey

s/ Noel L. Hillman
NOEL L. HILLMAN, U.S.D.J.

¹ Alternatively, the U.S. Marshal may notify Defendant(s) that an action has been commenced and request that the defendant(s) waive personal service of a summons in accordance with Fed. R. Civ. P. 4(d).